

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT

IN RE:

Le'Mon Davis,  
Lisa E Davis,

CHAPTER 13  
CASE NO. 24-41932-LSG  
JUDGE LISA S. GRETCHKO

DEBTORS.

/

**TRUSTEE'S OBJECTION TO MOTION FOR ORDER AUTHORIZING  
EMPLOYMENT OF NON-BANKRUPTCY ATTORNEY (ECF NO. 26)**

**NOW COMES** the Chapter 13 Standing Trustee in this matter, David Wm. Ruskin, and objects to the debtors' Motion, and in support thereof states as follows:

1. The Trustee objects as the proposed order fails to identify attorney Benjamin J. Wilensky (P75302) of Summer Schwartz PC as being hired to represent the Davis' for a "FELA" claim.
2. The Trustee objects to the provision in Debtor Counsel's retainer agreement, Exhibit B, page 2, regarding changing attorneys after the firm has been retained – specifically the language stating that "the FIRM" shall be reimbursed at the time all advanced costs than outstanding and 33.3% of the highest offer at that time, or a portion of the ultimate fee obtained based on the contribution made by the FIRM, whichever is greater.
3. The Trustee objects as the proposed order states that the Debtors will file a motion seeking approval of any settlement; however, the proposed order is silent as to this Court's approval of Counsel's compensation.

**WHEREFORE**, the Chapter 13 Standing Trustee requests that this Honorable Court deny the relief requested by the debtors and grant any further and other relief as this Court deems equitable and just.

OFFICE OF DAVID WM. RUSKIN,  
STANDING CHAPTER 13 TRUSTEE

Dated: April 23, 2024

By: /s/ Christopher P. Reilly  
DAVID Wm. RUSKIN (P26803), Trustee  
Christopher P. Reilly (P54168), Staff Attorney  
Michelle M. Stephenson (P51653), Staff Attorney  
26555 Evergreen Road, Suite 1100  
Southfield, MI 48076-4251  
(248) 352-7755

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**CERTIFICATE OF SERVICE OF TRUSTEE'S OBJECTION TO MOTION FOR  
ORDER AUTHORIZING EMPLOYMENT OF NON-BANKRUPTCY ATTORNEY  
(ECF NO. 26)**

I hereby certify that on April 23, 2024, I electronically filed the TRUSTEE'S OBJECTION TO MOTION FOR ORDER AUTHORIZING EMPLOYMENT OF NON-BANKRUPTCY ATTORNEY (ECF NO. 26) with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

The following parties were served electronically:

CONSUMER PROTECTION ATTORNEYS OF MICHIGAN PLLC  
23000 TELEGRAPH RD STE 5  
BROWNSTOWN, MI 48134-0000

The following parties were served via First Class Mail at the addresses below by depositing same in a United States Postal Box with the lawful amount of postage affixed thereto:

Le'Mon Davis  
Lisa E Davis  
22809 Beech Daly Rd  
Brownstown, MI 48134-0000

/s/ Vanessa Wild  
Vanessa Wild  
For the Office of David Wm. Ruskin,  
Chapter 13 Standing Trustee-Detroit  
1100 Travelers Tower  
26555 Evergreen Road  
Southfield, MI 48076-4251  
(248) 352-7755